

Ecosystem Restoration Subcommittee Meeting
Wednesday, October 23, 2002
Resources Building
1416 Ninth Street, Room 715 and 1206
Meeting Summary (Draft)

Subcommittee members (or their alternates) and agency liaisons present:

Gary Bobker (TBI)	Diana Jacobs (CDFG)
Ryan Broddrick (DU)	Brian Kinnear (NMFS)
Serge Birk (CVPWA)	Casey Walsh Cady (CDFA)
Walt Hoyer (MWD)	Margit Aramburu (DPC)
Lisa Holm (CCWD)	Campbell Ingram (USFWS)
Todd Manley (NCWA)	Scott Clark (USACE)
Ronda Lucas (CFBF)	Carolyn Yale (USEPA)
Bernice Sullivan (Friant WUA)	Sergio Guillen (DWR)
Lloyd Fryer (KCWA)	
Elise Holland (TPL)	

Introductions and Subcommittee Status

The meeting began with introductions and a subcommittee status report. The summary of the previous meeting was reviewed and no changes were proposed. Co-chair Gary Bobker discussed the schedule for forwarding recommendations to the full Bay-Delta Public Advisory Committee (BDPAC). The Working Draft of Desired Ecosystem Restoration Program (ERP) outcomes: Year 3 was discussed. Gary Bobker stated that agreement among members was desirable before the desired outcomes were forwarded to BDPAC. Lloyd Fryer referred to a modified version of the desired outcomes that he had shared with some members of the subcommittee prior to the meeting. Lloyd highlighted his concern that the desired outcomes document does not place enough emphasis on fish species affecting pumping in the Delta. Gary reminded Lloyd that ERP efforts to date and all supporting ERP documents have been weighted toward fish species affecting pumping in the Delta. Lloyd also stated that he was uncomfortable with the quantification of targets. Ronda Lucas seconded Lloyd's concern. Gary stated that the desired outcomes were based on the CALFED Record of Decision (ROD). Walt Hoyer emphasized that the ERP should have quantifiable performance targets, that it was simply a sound management practice. Walt agreed that the targets in the ROD and environmental documents were the targets the ERP should use, so that the program could report progress toward the targets. Most members of the subcommittee supported the desired outcomes document that the group had developed and discussed over the last several months. Gary Bobker agreed that he would make minor changes to what the group was now calling the majority version of the document. Ronda and Lloyd continued to voice opposition to the majority version, and voiced support

for the version Lloyd had carried into the meeting. Ryan Broddrick recommended that the subcommittee forward the desired outcomes to BDPAC with dissenting opinions noted. The subcommittee agreed. Ronda Lucas and Gary Bobker discussed the need for additional information and requested that 3 documents be copied and distributed: Gary's amended Working Draft, Lloyd's minority version, and a letter Bill Pauli of the California Farm Bureau sent to BDPAC stating concerns that Ronda had reiterated during the discussion.

Ecosystem Restoration Program Status Report

Dan Castleberry opened the discussion with an update on ERP staff changes and announced Campbell Ingram's move from the ERP to USFWS to head up the Environmental Water Program. Patrick Wright reported on CALFED's difficult staffing situation and emphasized that CALFED's best hope is to maintain the current staffing level. Provisions in the new California Bay-Delta Authority Act allow for ERP to bring in staff members through IPA's and from non-profit organizations.

Serge Birk inquired about the role of NOAA-Fisheries in the new authority, especially given the recovery planning effort that NOAA-Fisheries was about to start. Dan Castleberry then led a discussion of the California Bay-Delta Authority Act and provided copies of the bill. The Governance Bill would make CALFED an entity, rather than a consortium of agencies. Dan highlighted a provision in the bill that identified the California Department of Fish and Game, United States Fish and Wildlife Service, and NOAA-Fisheries as the implementing agencies for the ERP. Dan stated that he was meeting with managers from the ERP implementing agencies to discuss the transition to the new authority, and that similar meetings were occurring at multiple levels within the CALFED community. Dan stated that the ERP Implementing Agency Managers have agreed that the transition will be a gradual process. Diana Jacobs added that the transition is overlaid by position and budget cuts, the good news is they we have a core structure but changes will be needed. To answer Serge's question, Diana stated that the recovery planning is the highest priority and needs to be linked to ERP.

The federal side has staff and budget constraints as well. NOAA-Fisheries staff explained they have 4 positions dedicated to CALFED. However, the creation of the Pacific Region has taken positions and the associated funding changes may result in impacts to CALFED positions. The group had questions regarding federal authorization and the new Bay-Delta Authority. Patrick Wright replied that the Bay-Delta Authority has to be engaged with Feds as regulatory agency and they will continue to be players. Without federal authorization, the Bay-Delta Authority will be a state entity with voluntary participation from the Federal side. For purposes of ERP, there shouldn't be a change before or after authorization. There may big changes within the administration. For example, more emphasis over time will pass to CDFG.

Dan Castleberry presented a draft memorandum he had received from Dan Ray and Chuck Vogelsang of the ERP staff that summarizes information on how agricultural lands have been affected by ERP activities. The memo indicated that the ERP has supported efforts to protect much more farmland than it has efforts to convert farmland to non-farmed habitat, and that much of the focus on protecting farmland as habitat occurred after the ROD. Subcommittee members had several questions on how the information in the memo was obtained and evaluated. Ryan Broddrick stated that we need validation of these numbers and suggested this document should not be used in the political realm. Dan Ray of the ERP responded that the evaluation was a somewhat cursory analysis from ERP proposals and ERP files and that further analysis is needed. A suggestion was made to break this document down by region. Several members of the subcommittee expressed an interest in providing comments. Dan Castleberry welcomed comments and requested that comments be sent to him directly.

Dan Castleberry stated that ERP staff and CALFED-agency staff are working under the direction of Brock Bernstein, a consultant working for the CALFED Science Program, to develop a format and examples for indicator write-ups. Rhonda Reed of the ERP added that the ERP might be able to present something at the next meeting. Several members of the subcommittee expressed interest in the indicator effort. Gary Bobker requested that ERP report back to the subcommittee on the effort to refine performance measures.

Dan Castleberry introduced Campbell Ingram to lead the discussion on Amendments Workgroup Protocols and to identify Marti Kie as the new ERP Amendment Workgroup coordinator. Campbell Ingram provided a handout of the proposed protocols and described the proposed changes. Input on the proposed changes was obtained from the Amendments Workgroup, the Agency-Stakeholder Ecosystem Team, ERP staff and the contract administrators. Campbell Ingram invited comments from the subcommittee members and stated that comments should be forwarded to Marti Kie by November 8. The ERP and Amendments Workgroup will seek Management Group approval for the proposed changes on November 12.

Serge Birk asked for clarification on the differences between Level 2 and Level 3 amendments and expressed concern that there are not enough constraints or limits for time extensions for certain projects. Serge Birk stated that he felt that there were projects that received long extensions that haven't made progress. Dan Castleberry responded that in his experience this situation is the exception rather than the rule.

Gary Bobker pointed out that the former Ecosystem Roundtable commented on proposed amendments, but that the present BDPAC structure does not allow committees to comment on individual projects. Campbell Ingram pointed out that the workshops and proposed amendments are publicly noticed and that comments from all those attending the workshops are encouraged and

considered. Diana Jacobs suggested that in the case of a Level 3 amendment, a notice to the local government could be initiated. Most agreed that this would be a good idea.

Dan Ray provided handouts and briefed the Subcommittee on the status of the 2002 ERP Directed Action projects. Margit Aramburu asked if there were public workshops embedded in this process. For the 2002 PSP Directed Actions, the public workshops and comment period associated with the solicitation process was the primary avenue for public comment. Dan Ray pointed out that the ERP notifies local governments and entities that commented previously on applications that the revised application is available for comment, so that those entities that had concerns about the original proposal can review the revised proposal and provide additional comments at their discretion. Subcommittee members had questions on whether the applicant could re-scope their project. Dan Ray responded that the revisions were specific to the comments and not likely to result in major scope changes.

Dan Castleberry provided handouts and presented a summary of the ERP Program Assessment and Work Plan for Year 3. Dan identified how an earlier draft of the work plan had been revised to address comments from the subcommittee and others. Serge Birk inquired about adaptive management and the link to the work plan. The group discussed the changes in the PSP proposal development and the more recent inclusion of conceptual models as an adaptive management tool. Dan Castleberry explained the difference in Category A and B programs and highlighted anticipated changes to these categories in the next year.

Eugenia Laychak of CALFED stated that the work plans are starting to come together. We are waiting for comments from management group and are working on how to present all program work plans to BDPAC. Eugenia will need materials from Dan Castleberry by November 17 for BDPAC. By November 4 we will need additional comments from Subcommittee members. Please provide these comments directly to Dan.

Marti Kie provided handouts and provided a summary of Action Specific Implementation Plans. The group provided favorable comments on the information provided by Marti Kie. Serge Birk inquired if the ASIP concept will catch up with the environmental compliance documents that are being done for screens and ladders. Marti Kie replied that projects that were previously initiated will continue as business as usual and did not have to mold. New projects should comply with the provision. Where ASIPs are shown to be beneficial they can assist the project.

Next steps for the Subcommittee

Gary Bobker provided suggestions on the upcoming agenda. These are: 1) briefing on the Delta Plan, 2) EWP work plan, 3) ERP plan for performance metrics and adaptive management, and 4) long-term funding strategies. It was suggested that the Delta Plan focus at the local level. Other agenda suggestions included the need for a review of the directed action process.

Serge Birk reiterated the need for continued flexibility for directed action projects. For example, ERP should consider an EWP monitoring program. Subcommittee members discussed several issues pertaining to monitoring and science for the EWA, EWP and other programs. Gary Bobker emphasized the need to fill the EWP gaps and inquired about other potential directed action projects and the need for funding for monitoring programs. The subcommittee requested that the Science Program provide information on the status of monitoring.

Dan Castleberry initiated a discussion on future meeting dates. December 18 was identified as a tentative date for the next meeting. The time location needs to be determined. There was some discussion about a Delta location.

Action Items

1. The subcommittee requested that 3 documents be copied and distributed: Gary's amended Working Draft of the ERP Desired Outcomes, Lloyd's version, and a letter Bill Pauli of the California Farm Bureau sent to BDPAC stating concerns that Ronda had reiterated during the discussion.
2. Gary Bobker requested that ERP report back to the subcommittee on the ERP effort to refine performance measures.
3. Dan Castleberry requested that comments on the ERP staff memo on farmland affected by Ecosystem Restoration Program-funded projects be sent to him directly.
4. Campbell Ingram requested that comments on the ERP Contract Amendments Workshop process overview be sent to Marti Kie by November 8.
5. Dan Castleberry requested any additional comments on the ERP Work Plan be sent to him by November 4.
6. The subcommittee requested that the Science Program provide information on the status of monitoring.